

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

RESOLUTION NO. 70-22

PRESCRIBING REQUIREMENTS FOR WASTE DISCHARGE BY G AND M
CONSTRUCTION CO. ONTO LAND AT THE WEST END OF MELBOURNE
BOULEVARD IN SAN JOSE, SANTA CLARA COUNTY

WHEREAS THIS REGIONAL BOARD HAS CONSIDERED

INFORMATION ABOUT THIS DISCHARGE

1. The G and M Construction Co., called the discharger below, filed a Report on Waste Discharge dated November 26, 1969 with this Regional Water Quality Control Board pursuant to Section 13260 of the California Water Code.
2. That report and other data submitted includes the following information:

The solid waste disposal site will be filled with about 2,088,000 cubic feet of inert material only over a three-year period.

The disposal site is owned by discharger and is to be operated as a private disposal area.
3. The proposed site is located at the westerly end of Melbourne Boulevard in the City of San Jose, approximately 700 feet from Coyote Creek.

CORRESPONDENCE

This Regional Board has considered recommendations about this matter from:

1. State Department of Public Health in its memorandum dated February 16, 1970.
2. State Department of Water Resources in its memorandum dated February 6, 1970.
3. Santa Clara County Health Department in its letter dated February 4, 1970.
4. City of San Jose in its letter dated February 16, 1970.

STAFF INVESTIGATION

1. The underlying ground contains aquifers which are the most important source of ground water in the South Bay area.

2. These wastes can affect the following present beneficial water uses in the vicinity of the site:

Domestic water supply year-round

Industrial cooling and process water supply year-round

Agricultural irrigation supply year-round

Fish and wildlife propagation and sustenance

Esthetic enjoyment.

3. Land within 1000 feet of the site is used for residence, business, industry, and transportation.

RESOLVED BY THIS REGIONAL BOARD

BOARD INTENT

1. Protect public health as it may be affected by this waste discharge.
2. Prevent nuisance, as defined in Section 13050(m) of the California Water Code.
3. Protect the beneficial water uses listed under "Staff Investigation", above.

WASTE DISCHARGE REQUIREMENTS

The discharge of waste shall not:

1. Cause waste material to be in any position where it is, or can be, carried from the disposal site and deposited into waters of the State.
2. Create a nuisance as defined in Section 13050(m) of the California Water Code.
3. Cause erosion, siltation or other distribution of waste materials from the disposal site into surface waters.

PROHIBITIONS

Pursuant to Section 13243 of the California Water Code, this Regional Board prohibits at any time the disposal, placement or storage of materials at this site which are acceptable only at Class I or II disposal sites as defined in the policy adopted by this Board's Resolution No. 69-42.

REPORTING REQUIREMENTS

This resolution includes items numbered 1, 6, and 7 of the attached "Reporting Requirements" dated January 1, 1970.

NOTIFICATIONS

This Resolution includes items numbered 1, 5, and 6 of the attached "Notifications" dated January 6, 1970.

WILLIAM C. WEBER
Chairman

March 26, 1970

I, Fred H. Dierker, hereby certify that the foregoing is a true and correct copy of Resolution No. 70-22 adopted by the California Regional Water Quality Control Board - San Francisco Bay Region at its regular meeting on March 26, 1970.

FRED H. DIERKER
Executive Officer
CALIFORNIA REGIONAL WATER QUALITY CONTROL
BOARD - SAN FRANCISCO BAY REGION

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION
January 1, 1970

REPORTING REQUIREMENTS

1. This Board requires the discharger to file technical reports on self-monitoring work performed according to detailed specifications developed pursuant to the Regional Board's Resolution No. 398. (Reference: Sections 13267(b) and 13268, California Water Code.)
2. This Board requires the discharger to file a written report within 90 days after the average dry-weather waste flow for any month equals or exceeds 80% of the design capacity of his waste treatment and/or disposal facilities. The discharger's senior administrative officer shall sign a letter which transmits that report and certifies that the policy-making body is adequately informed about it. The report shall include:

Average daily flow for the month, the date on which the instantaneous peak flow occurred, the rate of that peak flow, and the total flow for that day.

The discharger's best estimate of when the average daily dry-weather flow rate will equal or exceed the design capacity of his facilities.

The discharger's intended schedule for studies, design, and other steps needed to provide additional capacity for his waste treatment and/or disposal facilities before the waste flow rate equals the capacity of present units. (Reference: Sections 13260, 13267(b) and 13268, California Water Code.)

3. This Board requires the discharger to file a time schedule for engineering studies on facilities needed to comply with the Board's receiving water objective of 5.0 mg/l of dissolved oxygen and/or to file a time schedule for deciding upon the feasibility of participating in regional water quality control systems if he does not meet that dissolved oxygen objective after providing waste treatment facilities which comply with the effluent BOD requirement prescribed elsewhere in this Resolution. (Reference: Sections 13267(b) and 13268, California Water Code.)
4. This Board requires the discharger to file technical reports on studies into correcting violations of the Board's water quality objectives caused by discharging combined storm water and sewage. Specifications for these studies shall be developed pursuant to the Board's Resolution No. 398. (Reference: Sections 13267(b) and 13268, California Water Code.)

5. This Board requires the discharger to file written reports within 15 days after each calendar quarter to include:

Name of and number of lots in each subdivision for which an application has been received for connection to the sewerage system.
Anticipated date of connection of each subdivision to the sewerage system.

Finding and supporting data by governing body on effect of addition of each subdivision on violation of waste discharge requirements.

(Reference: Section 11551.6 Business and Professions Code and Sections 13267(b) and 13268, California Water Code.)

6. This Board requires the discharger to file a report on waste discharge at least 120 days before making any material change or proposed change in the character, location or volume of the discharge. (Reference: Sections 13260(b) and 13264, California Water Code.)
7. This Board requires the discharger to file a written technical report at least 15 days prior to advertising for bids on any construction project which would cause or aggravate the discharge of waste in violation of these requirements; said report to describe the nature, costs, and scheduling of all actions necessary to preclude such discharge. In no case should any discharge of sewage bearing wastes be permitted without at least primary treatment and chlorination. (Reference: Sections 13267(b) and 13268, California Water Code.)

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION
January 6, 1970

NOTIFICATIONS

1. This Board requests the discharger to take note of the comments and recommendations contained in all the correspondence the Board has received and considered concerning this matter, and the Executive Officer is directed to transmit copies of that correspondence to the discharger.
2. This Board considers "Waters of the State" as defined in Section 13050(e) of the California Water Code to include waste waters over which the discharger has lost control.
3. The requirements prescribed herein do not authorize the commission of any act causing injury to the property of another, nor protect the discharger from his liabilities under Federal, State, or local laws, nor guarantee the discharger a capacity right in the receiving waters.
4. This Board will prescribe more restrictive requirements for this waste discharge if necessary:
 - To achieve or maintain dissolved oxygen concentration of at least 5.0 mg/l in tidal waters of the San Francisco Bay System pursuant to Resolution No. 67-30,
 - To protect shellfishing areas which the Board designates pursuant to Resolution No. 803,
 - To protect the beneficial water uses, and to achieve other objectives adopted in the resolutions cited above.
5. This Board will review these requirements periodically, as required by law, and will notify the responsible persons before doing so. (Reference: Section 13263(e), California Water Code.)
6. The water quality parameters used in this resolution are as defined in the latest edition of "Standard Methods for the Examination of Water and Wastewater" by the American Public Health Association.
7. The discharger is advised that this Board will use the general concepts of Phase I of the plan recommended by the Final San Francisco Bay-Delta Program Report as guidelines in reviewing any application for construction grants for sewerage facilities proposed to comply with these requirements, and if the discharger intends to make such application he must demonstrate the compatibility of the proposed facilities with the general concepts of the Bay-Delta Program.